BILL NO. Z-81-12-35

ZONING MAP ORDINANCE NO. Z-08-82

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-1 District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974:

Rockhills 2nd Addition Lots 25,26,28 thru 46; 48 thru 63; 70 thru 82 and 86 thru 94; the vacated section of Huron Street west of Mechanic; Fishers Subdivision of Butcher's Addition Lot 1 thru 3; Butchers Addition 2 thru 6, Nebraska Neighborhood's eastern pennisula exclusive of publicly owned land,

and the symbols of the City of Fort Wayne Zoning Map No. K-6 referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY DECEMBER 18, 1981.

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19___, at _____ o'clock ___.M.,E.S.T.

DATE: _____

CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	0		1	
BRADBURY	X				
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS				X	
SCHMIDT	X				
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: 3/23/82

Charles W. Westerman

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ ~~(APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ NO. Z-08-82 on the 23rd day of March, 1982.

ATTEST: (SEAL)

Charles W. Westerman

CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24 day of March, 1982, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 25th day of March 1982, at the hour of 4 o'clock P.M.,E.S.T.

WIN MOSES, JR. - MAYOR

Read the first time in full and on motion by Gin Quinta, seconded by Schmidt, D., and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wanye, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ___ M.,E.S.T.

DATE: 12-22-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES					
BURNS	X				
EISBART					
GiaQUINTA					
NUCKOLS					
SCHMIDT, D.					
SCHMIDT, V.					
SCHOMBURG					
STIER					
TALARICO					

DATE: _____

Charles W
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____

on the _____ day of _____, 19_____.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ M.,E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19_____, at the hour of _____ o'clock ____ M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-81-12-35

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-6

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN A. EISBART - CHAIRMAN

JANET G. BRADBURY - VICE CHAIRMAN

PAUL M. BURNS

~~JOHN NUCKOLS~~ Samuel J. Talarico

ROY J. SCHOMBURG

CONCURRED IN

DATE 3/23/82 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We Nebraska Neighborhood Association
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an R-1 District the property described as follows:

Rockhills 2nd Addition Lots 25, 26, 28 thru 46; 48 thru 63; 70 thru 82 and 86 thru 94; the vacated section of Huron Street west of Mechanic; Fischers Subdivision of Butcher's Addition Lots 1 thru 3; Butchers Addition 2 thru 6

(Legal Description) If additional space is needed, use reverse side.

Nebraska Neighborhood's eastern pennisula exclusive of publicly owned land.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinar being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

Larry Casabere	1712 Illinois Street	424-8440
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Heari approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 22, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-12-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1982;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

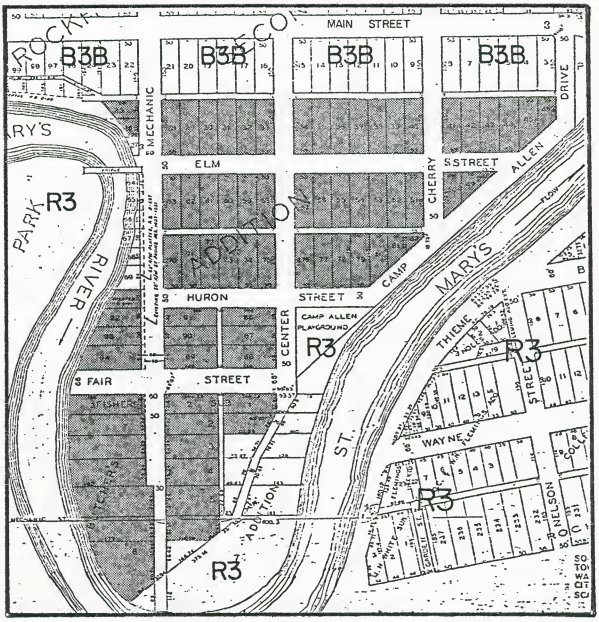
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 22, 1982.

Certified and signed this
1st day of March 1982.

Dennis J. Grotrian

Dennis J. Grotrian
Secretary



ZONING RECLASSIFICATION APPEAL FROM AN R-3 DISTRICT TO AN R-1 DISTRICT.

MAP NO. K-6

12-15-81

Z-81-12-35

BY M.A. GECOWETS

[redacted]

Admn. Appr. _____

DIGEST SHEET

Z-81-12-35

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Nebraska Neighborhood's eastern pennsula exclusive of publicly owned land.

EFFECT OF PASSAGE Property is now zoned R-3 - Multi-Family Residential. Property will become R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held February 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-12-35

2. From R-3 to R-1

3. Intended Use: Single Family Residences

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The downzoning request will aid in the stabilization of a viable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

The City of Fort Wayne

OFFICE OF THE CITY CLERK
Charles W. Westerman, Clerk — Room 122

March 26, 1982

Ms. Judy High
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of March 31 and April 7, 1982, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-81-12-35
Zoning Map Ordinance No. Z-08-82

Bill No. G-82-01-18
General Ordinance No. G-04-82

Please send us eight copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,
Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 23rd day of March, 1982, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-82-01-18 - General Ordinance No. G-04-82 - AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain easement

Notice is hereby given that on the 23rd day of March, 1982, the Common Council of the City of Fort Wayne, INdiana in Regular Session did pass the following Bill No. Z-81-12-35 - Zoning Map No. Z-08-82 - AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-6

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana hereby certifys that Bill No. G-82-01-18 - General Ordinance No. G-04-82 and Bill No. Z-81-12-35 - Zoning Map No. Z-08-82 , were passed by the Common Council on the 23rd day of March, said Ordinances were signed and approved by the Mayor on the 25th day of March, 1982, and remains on file and on record in my office.

Copies of Bill No. G-82-01-18 - General Ordinance No. G-04-82 and Bill No. Z-81-12-35 - Zoning Map No. Z-08-82, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

(1) The main floor of the City-County Building
(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. G-82-01-18 - General Ordinance No. G-04-82 and Bill No. Z-81-12-35 - Zoning Map No. Z-08-82, will be available for reading in the following places in Fort Wayne, Allen County, Indiana

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on March 31, 1982

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	1
Body	number of lines	64
Tail	number of lines	2
	Total number of lines in notice	67

COMPUTION OF CHARGES

67 lines, 1 columns wide equals 67 equivalent lines at .300¢ cents per line $ 20.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00

TOTAL AMOUNT OF CLAIM. $ 23.10

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has be

Date ..

Arvilla DeWald

Title CLERK

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Charles W. Westermen
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on March 31, 1982.

Charles W. Westerman
City Clerk

3—31, 4—7

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 3/31 - 4/7/82

Arvilla DeWald

Subscribed and sworn to before me this 7th day of April, 19 82

Anne M. Perkins
Notary Public

My commission expires November 29, 1985

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arville) DeWald

Date Apr. 7, 19 82

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

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Arville) DeWald

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Anne M Perkins
Notary Public

My commission expires November 29, 1985

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in Fort Wayne, Allen County, Indiana: (1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on March 31, 1982.

Charles W. Westerman
City Clerk

3—31, 4—7

Form Prescribed by State Board of Accounts — General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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Date ...

D Roose

Title CLERK

LEGAL NOTICE

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Charles W Westerman
City Clerk

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Charles W. Westerman
City Clerk

3—31 4—7

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

3/31 - 4/7/82

D Roose

Subscribed and sworn to before me this 7th day of April 19 82

Anne M. Perkins
Notary Public

My commission expires November 29, 1985

Form Prescribed by State Board of Accounts — General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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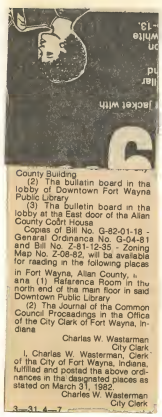
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date Apr. 7, 19 82 — Title CLERK

Form 903



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City Clerk

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City Clerk

3-31 4-7

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Anne M. Perkins
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My commission expires November 29, 1985